

REMARKS

Upon entry of the present amendment, claims 1, 11 and 19 will have amended. In view of the hereincontained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections together with an indication of the allowability of all the claims pending herein, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

Applicant's invention is directed to a laser scanning device which includes a semiconductor laser that emits a laser beam. According to the embodiment of the present invention, as recited, e.g., in claim 1, the invention includes a laser power detector that detects a laser beam power of the semiconductor laser and a reference voltage generator that generates a reference voltage for controlling the laser beam power of the semiconductor laser in accordance with a laser power control signal provided from an external device. A laser driver compares the reference voltage generated by the reference voltage generator and the laser beam power detected by the laser power detector to control a driving current supplied to the semiconductor laser for emitting the laser beam. An abnormal condition detector detects, prior to emission of the laser beam, the laser power control signal received by the reference voltage generator and inhibits the laser driver from emitting the laser beam when the laser power control signal differs from a predetermined value. The abnormal condition detector further permits the laser driver to emit the laser beam when the laser power control signal is the same as the predetermined value.

It is respectfully submitted that the combination of features defining an embodiment of Applicant's invention as recited, e.g., in Applicant's claim 1, is not

taught, disclosed or rendered obvious by any proper combination of the references of record in the present application.

In the outstanding Official Action, the Examiner rejected claims 1, 3, 4, 11 and 13 under 35 U.S.C. § 103(a) as unpatentable over YOSHIKAWA et al. (U.S. Patent No. 5,163,063) in view of ARIKA (U.S. Patent No. 5,418,806). Applicant respectfully traverses the above rejection and submits that it is inappropriate with respect to the previously pending claims in the present application and is certainly inappropriate and inadequate with respect to the claims of the present application as currently amended.

In setting forth the rejection, the Examiner asserted that YOSHIKAWA et al. disclosed a reference voltage. However, the Examiner admitted that YOSHIKAWA et al. fails to disclose a reference voltage generator that generates a reference voltage in accordance with a laser power control signal provided from an external source. The Examiner accordingly relied on ARIKA for this teaching. Without in any way admitting that ARIKA does, in fact, disclose a reference voltage generator, as recited in Applicant's claim, that controls the laser beam power in accordance with "a laser power control signal provided from an external source", Applicant respectfully submits that the Examiner's rejection is inappropriate and improper.

In particular, the Examiner has provided no motivation whatsoever for the proposed combination. Rather, the Examiner has taken the position that merely because ARIKA discloses a laser power control signal from an external source, it would be obvious to have combined the teachings of ARIKA with the disclosure of YOSHIKAWA et al. However, such is not the required standard for an obviousness rejection under 35 U.S.C. § 103. In order for a rejection to be proper under 35 U.S.C. §

103, the Examiner must set forth a motivation for the proposed combination. In the present situation, the Examiner has not set forth any motivation and it is respectfully submitted that there is no motivation.

In particular, even assuming, *arguendo*, that ARIKA discloses a laser power control signal from an external source, and that the laser power control signal of ARIKA could be combined with the disclosure of YOSHIKAWA et al., the Examiner has still not provided any reason why one of ordinary skill in the art would be motivated to do so. Without such showing, the Examiner's rejection is inappropriate.

Yet further, Applicant respectfully submits that no such proper showing of motivation can be made in the present situation. There is no reason why one would modify the YOSHIKAWA et al. device, which according to the Examiner, discloses an internally provided laser power control signal and substitute therefore a laser power control signal provided from an external device.

For these reasons alone, the Examiner's rejection is submitted to be inappropriate and should be withdrawn.

By the present response, Applicant has amended each of the independent claims. It is respectfully submitted that, as presently amended, no proper combination of YOSHIKAWA et al. and ARIKA teach, disclose or render obvious the claimed inventions. In particular, in the claimed combination, none of the references (and thus, certainly no combination of these references) teach an abnormal condition detector that detects, prior to the emission of the laser beam, the laser power control signal received by the reference voltage generator and inhibits the laser driver from emitting the laser beam when the laser power control signal differs from a predetermined value and that

further permits the laser driver to emit the laser beam when the laser power control signal is the same as the predetermined value.

With respect to the features defining the abnormal condition detector as presently recited, the Examiner's attention is respectfully directed to paragraphs [0050] through [0052] and Fig. 5, particularly (but not exclusively) step S105.

For these additional reasons, it is respectfully submitted that each of Applicant's claims are now even more clearly patentable over the combination of references cited by the Examiner thereagainst. An action to such effect is respectfully requested, in due course.

Applicant notes that the status of the present application is after final rejection. Applicant further notes that once a final rejection has issued, an Applicant does not have a right to amend the application. Nevertheless, Applicant submits that entry of the present amendment is appropriate and proper in accordance with the provisions of 37 C.F.R. § 1.116. In particular, the present amendment does not raise any new issues requiring further consideration or search because, as has been pointed out before, the claims in the present application, prior to the present amendment, are clearly patentable over the combination of reference at least because of the lack of motivation for modifying the YOSHIKAWA et al. reference in view of AKIRA. Moreover, the present amendment clearly places the present application in condition for allowance and entry based on this ground is also submitted to be appropriate.

Accordingly, Applicant respectfully requests entry of the present amendment, reconsideration of the outstanding rejection and an indication of the allowability of all the claims pending herein, in due course.

Claims 2, 12, 19 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over YOSHIKAWA et al. in view of ARIKA and further in view of TAKESUE (U.S. Patent Publication No. 2005/0093969). Claims 5-8, 10 and 14-16 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over YOSHIKAWA et al. in view of ARIKA and further in view of SUDA (U.S. Patent No. 6,566,641).

Applicant respectfully traverses each of the above-noted rejections and submits that they are inappropriate. Applicant notes that each of these claims depend from a shown to be allowable independent claim and thus are submitted to be patentable at least based upon the patentability of the independent claim that has been set forth in detail above. Additionally, the Examiner has again provided no motivation for the proposed modifications of the combination of the primary references. At least for these reasons, it is respectfully submitted that the Examiner's secondary rejections are also inappropriate.

Accordingly, Applicant respectfully requests reconsideration of each of the outstanding rejections and an indication of the allowability of all the claims pending in the present application, in due course.

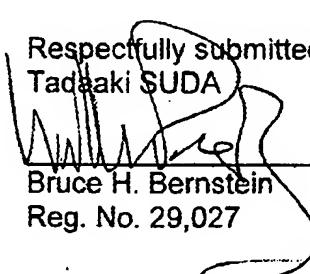
SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended each of the independent claims to even more clearly define the features of the present invention. Applicant has also discussed the disclosure of the references and pointed out the shortcomings thereof with respect to the pending claims. Further, Applicant has discussed the recitations of Applicant's claims and has pointed out the shortcomings of the references with respect thereto. Applicant has further noted that the rejections of the claims are also deficient because there is no motivation for the proposed combinations. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect, in due course.

The amendments to the claims which have been made in this amendment, have not been specifically noted to overcome a rejection based upon the prior art, should thus be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Respectfully submitted,
Tadaaki SUDA

Bruce H. Bernstein
Reg. No. 29,027

William Pieprz
Reg. No. 33630